

A
C L A U S E
O F T H E
W I L L
O F

Mr. *J O H N B A N K E S*,

Relating to his APPOINTMENT.



L O N D O N :

Printed in the YEAR MDCCXXIV.





A CLAUSE of the WILL
of Mr. *John Bankes*, relating to
his Appointment.



JOHN BANKES, *late Citizen
and Haberdasher of London, de-
ceased, by his Last-Will and Testament,
in Writing, bearing Date the 21st Day
of March, Anno. Dom. 1716, and duly proved
in the Prerogative-Court of Canterbury, the
Day of*
*by John Hales, of the Inner-Temple, London,
Esq; and John Cartlitch, Citizen and Goldsmith
of London, Executors of the said John Bankes,
(inter alia) did therein Give, Devise, and Be-
queath, in these Words following, viz.*



The C L A U S E.



AND as to all that my said Estate in the Parish of *St. James's, Westminster*, before excepted, I do hereby Give, Devise, and Bequeath the same, and all my Right, Title, Interest, and Term therein, unto the Master and Four Wardens of the Fraternity of the Art or Mystery of *Haberdashers*, in the City of *London*; TO HOLD to them and their Successors, Master and Wardens of the said Fraternity, for all the Term and Interest I have therein, upon this Special Trust, That by and out of the Rents and Profits thereof, they and their Successors, shall and do Pay and apply the clear Yearly Sum of Two Hundred and twenty Pounds, by half Yearly Payments, for such Uses, Intents and Purposes, as I the said *John Bankes*, by any Writing or Writings under my Hand and Seal, Attested by two or more Credible Witnesses, shall direct, limit, or appoint: And upon this further Trust, That by and out of the Residue of the Rents and Profits thereof, or by Mortgage thereof, they the said Master and Wardens, and their Successors, shall Pay and Discharge the said Sum of ten thousand Pounds and Interest, for which the same stands engaged, or such Part thereof as shall remain Due and Unpaid at the Time of my Decease: And also Pay and Discharge all such my Just Debts, my Funeral-Expences, and the several Legacies herein-before by me Bequeathed, as my Estate herein-before Bequeathed to the said *John Hales*, Esq; and Mr. *John Cartlitch*, shall fall short to pay,
in

in case such deficiency shall happen. And after Payment of my said Debts, Funeral-Expences and Legacies before-mentioned, upon Trust, to and for such Uses, Intents and Purposes, as I the said *John Bankes*, by such Writing or Writings, under my Hand and Seal as aforesaid, Attested by Two or more Credible Witnesses, shall direct, limit or appoint.



The **APPOINTMENT** *of the*
said Mr. John Bankes.



HEREAS I *John Bankes*, Citizen and Haberdasher of *London*, in and by my Last Will and Testament, bearing even date herewith, have Given and Bequeathed all my Right, Title, Interest and Term, of and in all that my Estate, consisting of several Houses, Buildings, and Ground in or near *Poultney-Street*, *Windmill-Street*, and *Prince's-Street*, in the Parish of *St. James's, Westminster*, unto the Master and Four Wardens of the Fraternity of the Art or Mystery of Haberdashers in the City of *London*; To HOLD to them and their Successors, Masters and Wardens of the said Fraternity, upon the Trusts, and for the Purposes in my said Will mentioned; and upon Trust, and to and for such Uses, Intents and Purposes, as I the said *John Bankes*, by any Writing or Writings under my Hand and Seal, Attested by two or more Credible Witnesses, shall direct, limit or appoint.

Now

NOW BE IT KNOWN unto all Men by these Presents, That I the said *John Bankes*, do hereby direct, limit and appoint, That the clear Yearly Sum of two hundred and twenty Pounds in my said Will mentioned, to be subject to my direction, limitation or appointment, shall be paid and applied to and for the Uses, Intents and Purposes herein-after-mentioned (that is to say;)

FIRST, I do hereby direct and appoint, That the clear Yearly Sum of twelve Pounds, by half Yearly Payments, be paid and applied for providing two Dinners at Haberdashers-Hall in each Year, on the Days herein-after-appointed, for the Payments herein-after-directed, for the Master and Wardens of the said Company for the Time being, and twelve Persons herein-after-named and appointed Trustees, for the Management of this Trust.

AND further, the clear Yearly Sum of six Pounds, by like Payments, for two Dinners on the same Days, for my Relations hereby Intitled to receive the Annuities herein-after-directed.

ITEM, I do hereby Direct and Appoint, That the clear Yearly Sums herein-after-mentioned, commencing from the usual Quarterly Feast-Day as shall next happen to precede my Decease, shall by even half Yearly Payments be Paid, as herein-after is directed, that is to say,

UNTO the Clerk of the said Company, for the Time being, for his Receipts and Payments, and keeping the Accounts relating to this Trust, twenty Pounds;

AND

A N D to the Clerk or Servant (of the Clerk of the said Company) assisting in the Affairs of the said Company, Five Pounds;

A N D to the Upper Beadle of the said Company, Seven Pounds;

A N D to the Under Beadle of the said Company, Five Pounds, for the said Beadle's Trouble, and Summoning the Parties concerned herein;

A N D the clear Yearly Sum of two Pounds, to be for a Sermon Preached on each of the said half Yearly Days of Meeting of the said Trustees, at the Meeting-Place adjoining to the said Hall;

A N D twenty Shillings to the Clerk and Sexton of the said Place.

I T E M, I do hereby direct and appoint the Surplus of the said two hundred and twenty Pounds *per Annum*, which shall remain of the first Year over and above the several Payments above-directed to be made, shall be detained in the Hands of the said Master and Wardens for the Time being, to enable the ready Payment on the several half Yearly Days then after, of the several Yearly Sums clear of all Deductions herein-after-directed to be Paid.

I T E M, I do hereby direct, that from and after the Expiration of the first Year, as aforesaid, after my Decease, the herein after-mentioned clear yearly Sums, commencing from the usual quarterly Feast-day as shall be then next preceding, shall by even half-yearly Payments be paid as herein-after is directed; (that is to say,)

T O the Minister, or Teacher, and the Deacons, of the Congregation whereto I belong, now held near the *Three-Cranes, London*, of which *Mr. Ridgley* is the present Minister;

Minister, the Sum of twelve Pounds, ten Pounds whereof is to be distributed by half-yearly Payments, to such poor Members of the said Congregation as they shall think fit Objects; the remaining two Pounds to be expended (in an Entertainment) on themselves, on the Days they shall meet to make the said Distribution.

ITEM, To my Wife *Elizabeth*, during her Widowhood, twenty Pounds, to be by her disposed of as she shall think fit.

ITEM, To my Sister *Mary Mitchell*, Widow, during her Life, ten Pounds;

AND to her Son *Robert*, during his Life, ten Pounds;

AND to his now Wife, during her Life, for her separate Use, ten Pounds;

AND to *Mary*, (the Daughter of my said Sister) during her Life, ten Pounds;

AND after their, or any of their, Deceases, the Annuity to them respectively payable, to be paid to their respective Children: And if any failure of Issue in the one Branch, the Annuity to be added to the other Branch; it being my Intention, this forty Pounds, *per Ann.* shall be applied for the Maintenance of the Issue and Descendants of my said Sister *Mary Mitchell*.

ITEM, To my Sister *Elizabeth Hopkins*, Widow, during her Life, ten Pounds;

AND to her Son *Edmond Hopkins*, during his Life, ten Pounds;

AND after the Decease of his Mother, the further Sum of ten Pounds, during his Life;

AND

'A N D after the Decease of my said Sister and her Son, the Annuity of twenty Pounds to be paid to the Issue and Descendants of her said Son.

I T E M, To my Sister *Anne Deane*, for the separate Maintenance of herself and her Children, during her Life, Twenty Pounds;

A N D after her Decease, the same to be paid to her said Children;

A N D after their respective Deceases, to their respective Descendants.

I T E M, To the now Wife of my Cousin *John Rand*, Son of my deceased Brother *John Rand*, for her separate Maintenance during her Life, ten Pounds;

A N D for the Maintenance of her Children by him during her Life, ten Pounds;

A N D after her Decease the whole twenty Pounds to be paid to such Children, and after their Decease to their Issue and Descendants.

I T E M, To my Cousin *Joseph Rand*, during his Life, ten Pounds;

A N D to his Sister *Deborah*, during her Life, ten Pounds;

A N D to his Sister *Mary*, during her Life, ten Pounds; (which *Joseph*, *Deborah*, and *Mary*, are the Children of my deceased Brother *Joseph Rand*,) and after their respective Deceases, the respective Annuities to be paid their respective Issues and Descendants; and in Case of failure of Issue in any of the said three Branches, the same to be paid to the surviving Branches.

ITEM, It is my Direction, That in Case of failure of Issue in any of the several Families of my Brothers and Sisters, above-named, the Annuities payable to that Family, shall be paid to the Issue of the other Families, in such Proportion as my Trustees, or the major Part of them, shall appoint, with regard to their Number and Circumstances, according to the Discretion of my Trustees.

ITEM, I do hereby direct, That so soon as by the Residue of the Rents and Profits of the said Premises in the Parish of *St. James's Westminster*, the Debt and Interest for which the same Premises shall stand engaged at the Time of my Decease, and by my said Will; and all Charges shall be fully paid and discharged. That then from and after the first Day of Payment of the Annuities herein before-directed to be paid, that shall next happen after such discharge of the said Debt and Charges, the several Annuities herein before-directed to be paid to my said three Sisters, and their Children, with the Issue and Descendants of them, and of my said deceased Brothers, amounting in the whole to One-hundred and Thirty Pounds *per Ann.* shall be doubled, whereby the said annual Sums to them to be made, will then amount unto Two-hundred and Sixty Pounds *per Annum.*

ITEM, I do hereby farther direct, That upon the Commencement of the said additional Annuities to my said Relations, the annual Sum of Two-hundred Pounds, clear of all Deductions, shall be, from Time to Time, by my Trustees herein after-named, appropriated for the putting out Apprentice, or helping to set up in Business, or towards the Marriage of such, or so many of the Issue and Descen-

Descendants of my said Brothers and Sisters, and in such Proportions as my said Trustees shall think fit.

ITEM, upon such Commencement, I do hereby further direct the Payment of the several Annual Sums herein after-mentioned, clear of all Deductions, by half-yearly Payments: That is to say,

TO Ten poor Men free of the Worshipful-Company of *Haberdashers, London*, and on the Livery of the same, and of the Age of forty Years, or more, ten Pounds *per Ann.* each;

AND to Ten other poor Men, Free of the said Company, and of the Yeomanry, and of the Age of fifty Years, or more, five Pounds *per Ann.* each;

AND to Twenty poor Widows of Freemen of the said Company, of the Age of forty Years, or more, five Pounds *per Ann.* each;

AND my Directions herein are, That Regard be had in appointing the said Freemen and Widows; and so from Time to Time as any of them shall be dismissed, or die, such be chosen and appointed by my said Trustees, as have lived Reputably, and fallen to Decay by Losses; without Distinction of their being Free by Servitude, Patrimony, or Redemption; being my self a Freeman of the said Company by Redemption:

AND to Five poor Men of the Age of forty Years, or more, Inhabitants of the Parish of *St. Bennet Paul's-Wharff*, five Pounds *per Ann.* each;

AND to Five poor Single-Women, Inhabitants of the said Parish, of the Age of forty Years, or more, five Pounds *per Ann.* each;

AND to five poor Men, Inhabitants of the Parish of *Battersea*, in the County of *Surry*, of the Age of forty Years, or more, fifty Shillings *per Ann.* each;

AND to Five poor Single-Women, Inhabitants of the said Parish of *Battersea*, of the Age of forty Years, or more, fifty Shillings *per Ann.* each;

AND to Five poor Men, Inhabitants in the *Park*, in the Parish of *St. Mary-Overy* in *Southwark*, of the Age of forty Years, or more, fifty Shillings *per Ann.* each;

AND to five poor single Women, Inhabitants in the said *Park*, of the Age of forty Years or more, fifty Shillings *per Ann.* each;

AND for a Dinner for the said poor Freemen and Widows of the said Company, and poor Inhabitants on each of the Days of Payment herein-after-appointed, the Yearly Sum of twelve Pounds.

AND my Directions are, That the Payment of the several Annual Sums, as the same shall become Payable, shall be made on the first *Thursday*, next following the second Quarterly Feast after my Decease, and on the first *Thursday* next following the fourth Quarterly Feast after my Decease in each Year.

ITEM, The Residue of the Yearly Rents and Profits of the said Premises, after all Charges deducted, I do hereby direct shall be and remain in the Disposal of my Trustees herein-after-appointed, for the Use and Benefit of the said Company of *Haberdashers*, desiring that thereout so much may be applied, as may be reasonable for obtaining a further Grant, or for the Fee of the Premises, if the same may be obtained, in case I shall not have obtained the same.

AND

AND I do hereby Nominate and Appoint the said Master and Wardens of the said Company of *Haberdashers*, for the Time being, and their Successors, Masters and Wardens of the said Company, and *John Hales*, Esq; and Mr. *John Cartlitch* (my Executors in my Will named) and Sir *John Eyles*, Bart. Sir *Harcourt Masters*, Kt. *Joseph Brooksbank*, Esq; Mr. *Richard Perry*, Mr. *Thomas Styles*, Mr. *Thomas Heaton*, Mr. *Thomas Barnes*, Mr. *Joseph Reynardson*, Mr. *Samuel Marsh*, and Mr. *William Billers*, Members of the Court of Assistants of the said Company, Trustees, for executing the Trust hereby reposed; and upon the Death or Relinquishment of any one of the said Trustees (except the Master and Wardens of the said Company) then the Surviving Trustees to appoint some other Person of the Court of Assistants of the said Company, in the Place and Stead of such Person so Dying or Relinquishing; such Person to be Nominated and Appointed by the Majority of the said Trustees, who at their first Meeting, after such Vacancy, shall give Notice thereof; and at their next Meeting proceed to a Choice, so as the Number of my said Trustees may be maintained.

AND my Direction is, That the said Trustees or the Majority of them, do Nominate and Appoint the said poor Freemen and Widows, and Inhabitants; and from Time to Time as any of them Dye, or the Widows, or single Women Marry, or as any of them shall by my said Trustees, or the Major-part of them, be dismiss'd from receiving the Annuities hereby directed, the Vacancy shall be declared; and at the then next Meeting proceed to a Choice of a proper Object for filling up such Vacancy, I hereby Impowering the said Trustees, or the Majority of them, to dismiss any Person that shall prove
an

an irregular Liver, or shall be by them deemed not fit Objects for receiving such Annuity.

IN WITNESS whereof, I the said *John Bankes* have hereunto set my Hand and Seal this one and twentieth Day of *March*, in the Third Year of the Reign of our Sovereign Lord King *George*, over *Great Britain*, &c. *Anno Dom. 1716.*

JOHN BANKES.

Signed, Sealed and Delivered by the with-named John Bankes, in the Presence of Us (the Parchment being First Stamp'd with Three Six-penny Stamps.)

JACOB SUTTON,
WILLIAM KNOTT,
WILLIAM GREEN.



